

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)				ATTY. DOCKET NO. 2963-0102P		APPLICATION NO. 09/673,686					
				APPLICANT Valentin S. ERKHOV (Deceased)							
				FILING DATE July 25, 2001		GROUP 1642					
U.S. PATENT DOCUMENTS											
	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE				
	US										
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FOREIGN PATENT DOCUMENTS											
	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION			
								YES	NO		
KAC	EP	0 232 706	A2	1987-08-19	EPO						
KAC	EP	0 058 616	A1	1982-08-25	EPO			Abs			
KAC	FR	2 482 309		1981-11-13	FRANCE			Abs			
KAC	SU	1176886		1985-09-07	SOVIET UNION			Title			
OTHER DOCUMENTS											
(Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.											
KAC	X.TUO et al., Cancer Research, Vol. 52, No. 20, 1992, pp. 5744-5751.										
KAC	D.L. EVANS et al., Cancer Research, Vol. 39, No. 6, Part 1, 1979, pp. 2006-2015.										
EXAMINER		KAC /Karen A. Canella, Ph.D./				DATE CONSIDERED				08/21/2006	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.											



PATENT
2963-0102P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Valentin S. ERKHOV (Deceased) Conf.: 2044
Appl. No.: 09/673,686 Group: 1642
Filed: July 25, 2001 Examiner: CANELLA, K.A.
For: METHOD FOR PRODUCING A SPECIFIC
ANTISERUM AGAINST THE UNIVERSAL
TUMOROUS ANTIGEN AND METHOD FOR
DIAGNOSING MALIGNANT TUMORS USING THE
ANTISERUM

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 1, 2004

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. ☒ This application was filed before June 30, 2003. Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☐ This application was filed on or after June 30, 2003. Accordingly, copies of cited U.S. patents and patent application publications

therefore are not included. Copies of foreign patent documents and non-patent literature are included.

- c. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

- b. ☒ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

English language translations of the Abstracts for EP0058616 and FR2482309 are enclosed.

SU1176886 relates to a method of diagnosis of unstable remission of patients ill with chronic non-specific lung diseases.

- c. ☒ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

- d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

IV. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. *(This section is not to be used with RCE's.)*
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- d. ☒ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.
In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☐ No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
or
- b. ☐ See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

- ☐ A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- ☒ No fee is required.

Appl. No. 09/673,686

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Mark J. Nuell, #36,623

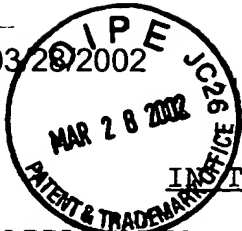
DRN/mua
2963-0102P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s): ☒ PTO-1449
☒ Documents
☒ Foreign Search Report
☐ Fee
☐ Other:

(Rev. 02/12/2004)

IDS - 03/28/2002



GP/1645
IDS #11
J 5/21/02

THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

APPLICANTS: VALENTIN SERGEEVICH ERKHOV-1 (PCT) (DECEASED)
SERIAL NO.: 09/673,686 FILED: JULY 25, 2001
PCT NO.: PCT/RU98/00143 FILED: MAY 18, 1998
FOR: METHOD FOR PRODUCING A SPECIFIC ANTISERUM AGAINST
THE UNIVERSAL TUMOROUS ANTIGEN AND METHOD FOR
DIAGNOSING MALIGNANT TUMORS USING THE ANTISERUM

INFORMATION DISCLOSURE STATEMENT

BOX NON-FEE AMENDMENT
Assistant Commissioner of Patents
Washington, D.C. 20231


RECEIVED
MAY 20 2002 APR 01 2002

Sir:

TECH CENTER 1600/2900
TECH CENTER 1600/2900

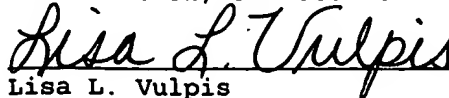
Applicant wishes to bring to the attention of the Patent Examiner the references listed on the enclosed Form PTO-1449 and attached thereto. Some of these references were cited in the specification. It is respectfully requested that the foregoing Information Disclosure Statement (IDS) be incorporated into the official file of the present patent application. Because this IDS is being filed before a first Office Action on the merits, it is believed that no fee is required. However, if a fee should be required for this IDS, the Commissioner for Patents and Trademarks is hereby authorized to charge any required fee, or to credit any overpayment to Deposit Account No. 03-2468.

Respectfully submitted,
VALENTIN SERGEEVICH ERKHOV
(DECEASED)


Allison C. Collard, Reg.No. 22,532
Edward R. Freedman, Reg.No. 26,048
Frederick J. Dorchak, Reg.No. 29,298
Attorneys for Applicant

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
ERF/llv

Enclosures: Form PTO-1449, eight (8) references
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on December 24, 2001.


Lisa L. Vulpis

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO. : ERKHOV-1
(PCT)

SERIAL NO. 09/673,686

LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT : VALENTIN SERGEEVICH ERKHOV

FILING DATE: 7/25/2001

GROUP: 1645

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA					
	AB					
	AC					
	AD					
	AE					

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
KAC	AF	1589215	09/1987	Russia (enclosed)				
KAC	AG	1649443	02/1989	Russia (enclosed)				
KAC	AH	1704087	07/1989	Russia (enclosed)				
KAC	AI	1709220	04/1989	Russia (enclosed)				
KAC	AJ	1805392	04/1989	Russia (enclosed)				
KAC	AK	2025734	09/1990	Russia (enclosed)				
KAC	AL	2063768	08/1991	Russia (enclosed)				
KAC	AM	2077725	03/1992	Russia (enclosed)				
	AN							
	AO							
	AP							

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR		
	AS		
	AT		

EXAMINER

/Karen A. Canella, Ph.D./

DATE CONSIDERED

08/21/2006

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.